

REMARKS

Applicant respectfully requests reconsideration. Claims 1-11 were previously pending in this application. Claim 1 has been amended to add the term "guanosine diphosphate". Support for this amendment is found on page 27, line 7. Claim 1 has also been amended to remove some of the ligands and to reorder the list to clarify that ionomycin and PMA are combined. Claims 1 and 6 have been amended to limit the selection of chemotherapeutic agents. Claim 6 has been re-written in independent form. Claim 7 has been amended to delete "doxorubicin" from the scope of the claim. Claims 2 and 8 were amended to be consistent with the other claim amendments. As a result, claims 1-11 are pending for examination with claims 1, 6 and 7 being independent claims. No new matter has been added.

Summary of Interview with Examiner

Applicant's representative wishes to thank Examiner VanderVegt for his courtesy extended during the personal interview conducted with Applicants' representative Helen Lockhart on July 19, 2006. In the Interview the Posada et al and Fanciuli et al references were discussed. Applicant's representative proposed the above amendments in order to distinguish the claims. As described in the Interview Summary Report Applicant's representative pointed out that Fanciulli et al. does not describe the use of ADRIAMYCIN™.

Objections to the Specification

The Examiner objected to trademark names in the application that were not capitalized. Applicant has corrected occurrences throughout the application and present herewith replacement paragraphs. Accordingly, withdrawal of this objection is respectfully requested.

Rejections Under 35 U.S.C. § 102

The Examiner rejected claims 1-5 and 7-11 under 35 U.S.C. § 102(b) as being anticipated by Posada et al.

Claims 1 and 7 have been amended. Claim 1 was amended to remove staurosporine from the scope of ligands. Claim 7 was amended to delete the term "doxorubicin." Claim 6 has been re-written in independent form and excludes ADRIAMYCIN™ from its scope. Accordingly, withdrawal of this rejection is respectfully requested.

The Examiner rejected claims 1-11 under 35 U.S.C. § 102(b) as being anticipated by Fanciulli et al. (Oncology Research 1996: 111-120).

As discussed in the interview with the Examiner, Fanciulli et al. does not describe treatment of cells with ADRIAMYCIN™. A chemotherapeutic agent referred to as LND is described in the reference. Each of the pending claims now includes a limitation directed to a specific subset of chemotherapeutic agents. None of the pending claims encompass LND. Accordingly, withdrawal of this rejection is respectfully requested.

CONCLUSION

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Dated: August 14, 2006

Respectfully submitted,

By 

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